

LABEL, IN PART: (Capsules) "Globe Uterine Capsules * * * Active Ingredients 100%: Sodium Perborate 39%, Boric Acid 60%, Iodoform 1%."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from, and its quality fell below, that which it was represented to possess, namely, "Sodium Perborate 39%."

Misbranding, Section 502 (a), the label statement "Sodium Perborate 39%" was false and misleading as applied to an article which contained no sodium perborate.

DISPOSITION: September 6, 1951. Default decree of condemnation and destruction.

3614. Adulteration and misbranding of clinical thermometers. U. S. v. 48 Cartons * * *. (F. D. C. No. 31942. Sample No. 11205-L.)

LABEL FILED: October 24, 1951, Northern District of Ohio.

ALLEGED SHIPMENT: On or about August 23, 1951, by the Cardinal Thermometer Co., from Brooklyn, N. Y.

PRODUCT: *Clinical thermometers.* 48 cartons, each containing 1 thermometer, and a leaflet entitled "Certificate of Accuracy for Clinical Thermometer" at Cleveland, Ohio.

Examination of 23 thermometers showed that 5 failed to comply with the Commercial Standard CS1-32 since 2 failed to give readings of required accuracy, 2 failed to meet the hard shaker test, and 1 failed to meet the test for entrapped gas.

LABEL, IN PART: (Carton) "Cardinal Fever Thermometer Oral."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the following statements in the leaflet were false and misleading as applied to an article which did not conform to the specifications set forth in CS1-32 Department of Commerce: "This certifies that the enclosed thermometer * * * has been tested on the above date at 98°, 102° and 106° F. and is correct within plus or minus 2/10 F. at any of these test points. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards, Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-32 Department of Commerce)."

DISPOSITION: November 27, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3615. Misbranding of Diaplex. U. S. v. 21 Cartons, etc. (F. D. C. No. 31735. Sample No. 24156-L.)

LABEL FILED: September 28, 1951, Eastern District of New York.

ALLEGED SHIPMENT: On or about July 10, 1951, by H. W. Pierce, from Wellington, Colo.

PRODUCT: 21 cartons of *Diaplex* at Brooklyn, N. Y., together with a number of circulars entitled "The Successful Treatment of Diabetes." Analysis indicated that the product was a species of saltbush, such as *Atriplex canescens*.

*See also Nos. 3601, 3602, 3605, 3607, 3611-3614.